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OUR FILE NO. 13,289J

September 21, 2020

Electronically Filed

Honorable Joel M. Schneider, U.S.M.J.  
**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**  
Mitchell H. Cohen U.S. Courthouse  
1 John F. Gerry Plaza – 4<sup>th</sup> & Cooper Streets  
Camden, NJ 08101

**Re: Brian F. McBride v. Township of Washington, et als**  
**Civil Action No. 1:19-cv-17196 (NLH/JS)**

Dear Judge Schneider:

As Your Honor is well aware, this office represents the interests of the defendants Washington Township and Joseph Micucci in this particular matter.

In that regard, I am in receipt of the Court's TEXT ORDER scheduling this matter for a telephone status conference before Your Honor on September 25, 2020. I am also in receipt of the pro se plaintiff's letter to Your Honor dated September 18, 2020 requesting that certain items be added to the "agenda" of this status conference. While I take no position as to the settlement discussions between the pro se plaintiff and the co-defendants, I must object to the "additional agenda items" concerning the defendant Washington Township as requested by the pro se plaintiff.

Simply stated, given the fact that the pro se plaintiff's motion to file an Amended Complaint has yet to be decided by the Court, at the present time, the pro se plaintiff's Complaint remains dismissed. Accordingly, it is the position of the Washington Township defendants that these two agenda items are moot.

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In addition, there is absolutely no basis for the pro se plaintiff to discuss his requests for a reasonable accommodation as this issue is simply not before the Court.

As to the pro se plaintiff's stance regarding records under the New Jersey Open Public Records Act, the pro se plaintiff has a pending Motion seeking the enforcement of litigant's rights and this office has filed the appropriate Opposition Brief.

While I certainly do not want to inundate the Court, I felt it necessary to provide Your Honor with the position of the Washington Township defendants as to the scope of the scheduled telephone status conference before Your Honor.

Respectfully submitted,  
**BIRCHMEIER & POWELL LLC**



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